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Attorneys for Ditech Financial LLC, its assignees and/or successors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re) Case No. 18-10668-mkn
)
) Chapter 13
Judith Almanzar,)
)
Debtor.) CONDITIONAL NON-OPPOSITION TO
) MOTION TO SELL
)
) Property: 421 Dairy Creek Avenue, Las Vegas,
) NV 89183
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Ditech Financial LLC, its assignees and/or successors, its assignees and/or successor
("Secured Creditor") files this Conditional Non-Opposition to Motion to Sell, filed by Debtor,
Judith Almanzar ("Debtor"), as follows:

Secured Creditor is entitled to receive payments per the terms of a Promissory Note dated
11/6/2006, in the principal amount of \$136,800.00, which is secured by a Deed of Trust of the

1 same date, and recorded in the Official Records of Clark County, on 12/27/2006 for the real
2 property commonly known as: 421 Dairy Creek Avenue, Las Vegas, NV 89183 ("Subject
3 Property").

4 Secured Creditor has no Opposition to Debtor's Motion to Sell the Subject Property so
5 long as the lien of Ditech Financial LLC is paid off in full (as ostensibly alleged by Debtor in the
6 Motion), or an amount less than the full payoff pursuant to the written consent of Ditech
7 Financial LLC. Pursuant to 11 U.S.C. § 363(f) Secured Creditor is entitled to the full payment of
8 their claim.

9 Based upon the foregoing, Secured Creditor respectfully requests any order granting
10 Debtor's Motion to sell include the below language:

11
12 The loan secured by a 1st lien on real property located at 421 Dairy Creek
13 Avenue, Las Vegas, NV 89183 will be paid in full as of the date of the closing of
14 the sale, and the sale will be conducted through an escrow and based on a non-
15 expired contractual payoff statement received directly from Ditech Financial
16 LLC.

17
18 Dated: 6/29/2018

Respectfully submitted,
McCarthy & Holthus, LLP

19
20 By: /s/ Kristin A. Schuler-Hintz
21 Kristin A. Schuler-Hintz, Esq.
22 Attorneys for Respondent,
23 Ditech Financial LLC, its assignees
24 and/or successors
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:) Case No.: 18-10668-mkn
)
Judith Almanzar,) Chapter 13
)
)
Debtor.) **CERTIFICATE OF SERVICE OF**
) **CONDITIONAL NON-OPPOSITION TO**
) **MOTION TO SELL**

CERTIFICATE OF SERVICE

On 7/2/2018, I served the foregoing **CONDITIONAL NON-OPPOSITION TO MOTION TO SELL** on the following individuals by electronic means through the Court's ECF program

TRUSTEE

Rick A. Yarnall
ecfmail@LasVegas13.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Salvador Arroyo
Salvador Arroyo

On 7/2/2018, I served the foregoing **CONDITIONAL NON-OPPOSITION TO MOTION TO SELL** on the following individuals by depositing true copies thereof in the United States mail at San Diego, California, enclosed in a sealed envelope, with postage paid, addressed as follows:

DEBTOR(S)

Judith Almanzar, 421 Dairy Creek Ave., Las Vegas, NV 89183

DEBTOR(S) COUNSEL

Marilyn A. Caston, Nevada Family Law Group, 10120 S. Eastern Ave., Ste. 140, Henderson, NV 89052

US TRUSTEE

300 Las Vegas Boulevard South, Suite 4300, Las Vegas, NV 89101

JUDGE'S COPY

The Honorable Judge, Mike K. Nakagawa, United States Bankruptcy Court - Southern Division, U.S. Bankruptcy Court, 300 Las Vegas Boulevard South, Las Vegas, NV, 89101

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: 7/2/2018

/s/ wai tang
wai tang